

INITIAL STATEMENT OF REASONS:

The California Department of Corrections and Rehabilitation (CDCR) proposes to amend Sections 3000, 3040, 3041, 3043, 3043.3, 3043.4, 3043.5, 3043.6, 3044, 3045, 3045.1, 3045.2, 3045.3, 3075, and to adopt Section 3040.2 of the California Code of Regulations (CCR), Title 15, Division 3, concerning bridging education, credit earning, inmate work/training incentive groups, excused time off, and timekeeping and reporting.

The former California Department of Corrections (CDC), which pursuant to Senate Bill 737, 2005/2006 Regular Session, was abolished and reorganized as part of the newly created CDCR, was directed by the Fiscal Year 2003/2004 Budget Act to provide education programming for Penal Code (PC) Section 2933 day-for-day credit eligible inmates in Reception Centers (RC) and to also expand the existing education programs within the General Population (GP) institutions. In addition, the 2003/2004 Budget Act mandated the priority hiring of day-for-day credit eligible inmates within the GP institutions.

To expand the educational opportunities for these day-for-day credit eligible inmates, the former CDC incorporated new modifications and programs for the GP institutions, effective November 1, 2003, and also for the RCs, effective February 15, 2004. Included in these programs are education assessment, anger management, cognitive based re-entry orientation, life skills, and integration into the Arts in Corrections programs.

These proposed regulations are necessary in order to establish regulations specifically related to the bridging education program (BEP), and to update language concerning inmate credit earning, inmate work/training incentive groups, "S" time, and excused time off. Also, due the elimination of the CDC Form 191, Inmate Timecard, language concerning timekeeping and reporting has been revised.

The CDCR must determine that no alternative considered would be more effective in carrying out the purpose of this action, or would be as effective and less burdensome to affected private persons, than the action proposed.

3000. Definitions.

Section 3000. The definition of program failure is amended to clarify language concerning the 180 day time period in which an inmate may be considered a program failure. This change is necessary because prior language was confusing and subject to different interpretations of when time frames began and stopped. Amended language will reflect that an inmate will have shown reasonable evidence of a significant disciplinary history, and may be considered a program failure, if they have a guilty finding for two serious Rules Violation Reports or one serious and two administrative Rules Violations Reports within 180 consecutive days from the current date of review. This change will ensure that an action/sanction against an inmate for program failure, be immediate, and only take into account the current 180 day time period in which the inmate still meets the criteria. It also prevents a future committee review from going back in time and using against the inmate

any prior 180 day period in which the inmate did meet the program failure criteria.

Subsections 3040(a) and (b) are unchanged.

Subsection 3040(c) is amended for clarification by including Sections 3040.2(d) and 3040(e) as the exceptions to when a classification committee shall assign an inmate to a work, education, vocation, therapeutic, or other institution program.

Subsection 3040(d) is unchanged.

Subsection 3040(e) is amended by deleting incorrect language concerning the earning of "S" time. This change is necessary because "S" time is no longer earned or credited, but is instead approved for the reasons that are outlined in subsection 3045.3(b).

Subsections 3040(f) through (l) are unchanged.

3040.1. Substance Abuse Program for Inmates.

Section 3040.1 is unchanged.

New Section 3040.2 is adopted.

3040.2. Bridging Education Program.

New subsection 3040.2(a) is adopted to include that each prison will establish BEPs as work/training incentive assignments in order to provide education programming for inmates who are day-for-day credit eligible per PC Section 2933. New language will specify that inmates, who are undergoing reception center processing and are day-for-day credit eligible, will be assigned to the BEP upon their arrival to the reception center. In addition, day-for-day credit eligible inmates who are housed in general population institutions will be eligible to be assigned to a BEP.

New subsection 3040.2(b) is adopted to specify the criteria by which participation in a BEP will be evaluated, and to also establish that an assignment to an approved BEP shall qualify as a full-time assignment in Work Group A-1.

New subsection 3040.2(c) is adopted to specify the case factors that will preclude an inmate from being placed in a BEP. This is necessary in order to clarify which inmates will not be eligible for placement in a BEP.

New subsection 3040.2(d) is adopted to establish that the reception center Inmate Assignment Officer shall have the authority to initiate a classification action and affect a work/training group change in order to assign inmates to reception center BEPs. Also, when taking such an action, the notification and classification procedural safeguards as described in sections 3375(e) and (f) of these regulations shall not be required. This change does not impact the inmate in any negative way, and is necessary in order to expedite the

process that will allow day-for-day credit eligible inmates, who are undergoing reception center processing, to be assigned to a BEP and immediately begin to earn day-for-day credit.

New subsection 3040.2(e) is adopted to clarify that general population inmates may be assigned to a BEP following a classification committee review.

New subsection 3040.2(f) is adopted to clarify that a classification committee action shall not be required to remove inmates from BEPs if no other changes in work/training group, custody designation, or a work waiting list is required.

3041. Performance

Subsections 3041(a) through (b) are unchanged.

Subsection 3041(b)(1) is amended by deleting the reference to time “cards” and replacing it with “timekeeping” logs. With the elimination of the CDC Form 191, Inmate Timecard, any language in these regulations referencing the CDC Form 191, or any other specific form that is used to record the daily attendance of an inmate in a credit qualifying assignment, has been amended to now reflect, for easier reference and consistency, a “timekeeping log”.

Subsections 3041(b)(2) through (e) are unchanged.

3043. Credit Earning

Subsection 3043(a) is unchanged.

Subsection 3043(a)(1) is amended by adding clarifying language related to sentencing laws.

Subsections 3043(b) through (c)(3) are unchanged.

Subsection 3043(c)(4) is amended by adding clarifying language related to sentencing laws.

Subsection 3043(c)(5) is amended for correction purposes by deleting the reference to work/training supervisors. This is necessary because work/training supervisors no longer submit timekeeping documents to case records staff.

Subsection 3043(c)(5)(A) is unchanged.

Subsection 3043(c)(5)(B) is amended to delete language concerning the computation of worktime credits at six-month intervals. This is necessary because six-month time gain computations are no longer performed due to the elimination of the CDC Form 191.

Subsection 3043(d)(1) is amended by adding life inmates sentenced under PC Sections 191.5(d) and 667.51(d) to the list of life inmates who can have worktime credits applied in order to reduce their minimum terms. This is necessary in order to provide the relevant PC Sections that have become effective since the last revision to this regulation.

Subsections 3043(d)(2) through (f) are unchanged.

Subsection 3043(g) is amended by adding the Western Interstate Corrections Compact and the Interstate Corrections Compact Agreement to the language concerning credits for interstate transfer inmates. This is necessary in order to clarify the authority that enables the Department to transfer and exchange prisoners with other states.

Subsection 3043(g)(1) is amended to clarify language concerning the application of worktime credit for inmates serving their term in another state, federal institution, or who are serving a concurrent term in another jurisdiction.

Subsections 3043(g)(2) through (h)(3) are unchanged.

Sections 3043.1 and 3043.2 are unchanged.

3043.3. Loss of Behavior or Worktime Credit.

Subsections 3043.3(a) through (a)(3) are unchanged.

Subsection 3043.3(a)(4) is amended to specify that not more than 30 days of worktime credit shall be denied or forfeited for any “single” act described as a serious rule violation in these regulations unless the act is a misdemeanor or felony offense. Because of the possibility that more than one act can occur at a time, resulting in multiple disciplinary reports and a possible credit loss of more than 30 days, the reference to “single” act is necessary for clarification. Also, the reference to Section 3315 has been deleted so that the description of a serious rule violation is inclusive of all of these regulations, not just limited to Section 3315.

Subsections 3043.3(a)(5) through (c) are unchanged.

3043.4. Non-Credit Earning

Subsection 3043.4(b) is deleted. With the deletion of 3043.4(b), subsection 3043.4(a) is renumbered to 3043.4 and amended to clarify when an inmate, who is eligible to earn worktime credit but has refused a full-time qualifying assignment, or is placed on non-credit earning status, can receive a worktime credit reduction. Amended language will reflect that once an inmate does “agree to” accept a full-time qualifying assignment, they will be eligible to receive a worktime credit reduction.

Subsection 3043.4(b) is deleted to remove incorrect language concerning denied worktime credit for absent days. This is necessary because individual

absent days, or any amount of absent time, will not preclude an inmate from earning worktime credit for that day, and unless there is a change by a classification committee, inmates will continue to earn worktime credit that is commensurate with their assigned work group.

3043.5. Credit Earning Special Assignments.

Subsections 3043.5(a) through (a)(2) are unchanged.

Subsection 3043.5(a)(3) is adopted to establish a BEP as a credit earning special assignment. Language will specify that assignment to an approved BEP as described in Section 3040.2 shall qualify as a full-time assignment in Work Group A-1.

Subsection 3043.5(b) is unchanged.

Subsections 3043.5(b)(1) and (b)(2) are amended to establish a new starting date when general population inmates, and segregation inmates who are in Work Group A-1 or B, can be placed in a different work group because of a short-term medical/psychiatric inpatient hospitalization that will require a longer period of inpatient care (more than 29 calendar days). For those short-term inmates who require a longer period of inpatient care, the attending physician/psychiatrist refers the inmate to a classification committee, which in turn confirms the inmate's unassigned inpatient category and changes the work/training group status. Previously, before a work group change would occur, the inmate would first utilize and exhaust their accrued excused time off (ETO). Because inmates no longer earn and accrue ETO, it is now necessary to establish a new starting date for a work group change. Amended language in subsection 3043.5(b)(1) now provides that effective "the thirtieth day of unassignment," general population inmates shall be placed in Work Group A-2, and Subsection 3043.5(b)(2) provides that effective "the first day of placement into Administrative Segregation", segregation inmates who are in Work Group A-1 or B shall be placed in Work Group D-1.

Subsection 3043.5(b)(3) and (c) are unchanged.

Subsections 3043.5(c)(1) and (c)(2) are amended to establish a new starting date for a work group change for inmates who are long-term medical/psychiatric unassigned status, and their health condition necessitates that they become medically unassigned for 30 calendar days or more. When this occurs, the physician will specify an anticipated return date. A classification committee will then review the inmate's unassigned status and change the work group. Previously, before a work group change would occur, the inmate would first utilize and exhaust their accrued ETO. Because inmates no longer earn and accrue ETO, a new effective starting date now needs to be established. Amended language in subsection 3043.5(c)(1) will now specify that an inmate in the general population shall be changed to Work Group A-2, involuntary unassigned, effective "the thirtieth day of unassignment". Additionally, subsection 3043.5(c)(2) specifies that an inmate

in a lockup unit who is in Work Group A-1 or B shall be changed to Work Group D-1 effective “the first day of placement into Administrative Segregation.”

Subsection 3043.5(c)(3) is unchanged.

Existing subsection 3043.5(d) is renumbered to 3043.5(e).

New subsection 3043.5(d) provides for clarification, the process that is used to determine the program assignment and work group status for an inmate who has a determinable physical or mental impairment which limits his/her ability to participate in a work, academic, vocational, or other such program. New language will specify that the classification committee shall have the sole responsibility for making program assignment and work group status decisions. These decisions shall be based on information received from medical/psychiatric staff in addition to the feedback received from the affected work area, academic/vocational program staff, and the Inmate Assignment Lieutenant or Work Incentive Coordinator. If a disabled inmate is unable to perform the essential functions of any of the above described programs, even with reasonable accommodation, he/she will be placed in one of two possible categories and a corresponding Work Group.

Temporary medical/psychiatric unassignment. If an inmate's physical or mental impairment is expected to last for less than six months, the classification committee shall place the inmate on temporary medical/psychiatric unassignment and Work Group A-2 credit earning status. If at six months, the classification committee still cannot assign the inmate due to his/her condition, then the credit earning status shall be changed to Work Group A-1 with the appropriate privilege group, retroactive to the first day of the temporary medical/psychiatric unassignment.

Medically disabled. If the inmate's condition is expected to result in death or last six months or more, the classification committee shall place the inmate on medically disabled status along with the credit earning status of Work Group A-1 and Privilege Group A.

Existing subsections 3043.5(d) through (d)(2)(B) are renumbered to 3043.5(e) through (e)(2)(B) and are unchanged.

Existing subsections 3043.5(d)(2)(B)(1) and (d)(2)(B)(2) are renumbered to 3043.5(e)(2)(B)(1) and (e)(2)(B)(2) and are deleted in order to remove incorrect language concerning the deduction of ETO in the calculation of time credits. This is necessary because inmates no longer earn and accrue ETO.

Existing subsection 3043.5(d)(2)(C) is renumbered to 3043.5(e)(2)(C) and is unchanged.

Existing subsection 3043.5(d)(2)(D) is renumbered to 3043.5(e)(2)(D) and is amended by deleting the reference of “earn” ETO and replacing it with

“use” ETO. This is necessary because inmates no longer earn and accrue ETO, but instead will use ETO that is authorized.

Existing subsections 3043.5(e), (f), and (g) are renumbered to 3043.5(f), (g), and (h) respectively and are unchanged.

3043.6. Impact of Transfer on Credit Earning

Subsections 3043.6(a) through (a)(2) are unchanged.

Subsection 3043.6(a)(3) is amended to clarify the process by which a transferred inmate is merged into a receiving institution's waiting list, and to also establish the prioritization for assignment for PC Section 2933 credit eligible inmates. Amended language will specify that an inmate who is transferred for non-adverse reasons, and who was in a vocational/training program at the sending institution, shall be assigned the same or similar program, “if eligible,” at the receiving institution unless the program has no vacancy or is unavailable. If the receiving institution's program is full or unavailable, the transferred inmate shall be placed on any existing waiting list at the receiving institution and merged based on credit earning status, release date, and length of time on the sending institution's waiting list. Inmates who are PC Section 2933 day-for-day credit eligible shall be given priority for assignment.

Subsection 3043.6(a)(4) is deleted to remove obsolete language concerning the granting of time credits. This is necessary because inmates, who are transferred for non-adverse reasons, now retain their work/training and privilege group status and continue to earn credits that are commensurate with that work group. Because inmates have continued credit earning, the granting of time credits for a period of program interruption is no longer performed.

Existing subsection 3043.6(a)(4)(A) is renumbered to 3043.6(a)(3)(A) and amended to clarify which inmates will have first priority for placement on the receiving institutions waiting list. Amended language will specify that for those inmates who are merged into the waiting list, the day-for-day credit eligible inmates approved for the program and not assigned Work Group A-2, shall be given priority on the waiting list with the inmate with the earliest release date given first priority.

Existing subsection 3043.6(a)(4)(B) is renumbered to 3043.6(a)(3)(B) and amended to clarify which inmates will be given second priority placement on the receiving institutions waiting list. For those inmates who are merged into the waiting list, the day-for-day credit eligible inmates who are already designated Work Group A-1, shall be given the next priority, with the inmate with the earliest release date given first priority in this group.

New subsection 3043.6(a)(3)(C) is adopted to clarify which inmates will be given third priority placement on the receiving institution's waiting list. New language will specify that inmates who are not PC Section 2933

day-for-day credit eligible, and are already designated Work Group A-1, will be placed on waiting lists based upon the work group effective date.

New subsection 3043.6(a)(3)(D) is adopted to clarify which inmates will be given fourth priority on the receiving institution's waiting list. New language will specify that inmates who are not PC Section 2933 day-for-day credit eligible, and are not assigned Work Group A-2, will be placed on waiting lists based upon the work group effective date.

Existing subsection 3043.6(d)(1) is renumbered to 3043.6(d)(2).

New subsection 3043.6(d)(1) clarifies who is eligible for a reception center BEP. New language will specify that inmates, who are being processed in reception centers, not on layover (en route) status, who are eligible to earn day-for-day credit, are eligible to be assigned to a full-time BEP.

Existing subsection 3043.6(d)(1) is renumbered to 3043.6(d)(2) and amended to clarify the work/training program that is available to those reception center inmates who are not day-for-day credit eligible. Amended language will reflect that inmates who are being processed in a reception center, and are ineligible to earn day-for-day credits per PC Section 2933, can be assigned to a half-time work/training program.

Existing subsection 3043.6(d)(2) is renumbered to new subsection 3043.6(d)(3) and amended for consistency by deleting the word "form" and replacing it with "timekeeping logs." Amended text will also specify that the timekeeping log shall be completed by the work supervisor "on a daily basis." Also for clarification, the text "an inmate's work on a half-time assignment" has been changed to "an inmate's participation in a full or half-time assignment."

Subsections 3043.6(e) and (f) are unchanged.

3044. Inmate Work and Training Incentive Groups.

Subsection 3044(a) is unchanged.

Subsection 3044(b) is amended to include the reference of newly adopted subsection 3040.2(d), which specifies that the Inmate Assignment Officer shall have the authority to initiate a classification action to assign inmates to a reception center BEP, and when taking such action, a classification committee action is not required. This is necessary in order to remove any conflict between subsections 3044(b) and 3040.2(d) of these regulations.

Subsection 3044(b)(1) is unchanged.

Subsection 3044(b)(2) is amended to clarify Work Group A-1, which is a full-time work/training assignment, by specifying that inmates eligible to earn

PC Section 2933 worktime credits for a full-time work/training assignment, shall be awarded one day credit for each day “assigned to this work group.” This corrects previous language that referenced one day credit for each day “of qualifying performance.” A correction has also been made to reflect that the work day shall be no less than 6.5 hours and the work week no less than 32 hours. In addition, because of the elimination of the CDC Form 191, the last sentence referencing the inmate timecard has been changed to reflect timekeeping logs.

Subsections 3044(b)(2)(A) and (B) are unchanged.

Subsection 3044(b)(2)(C) is amended for correction purposes by adding an apostrophe to the word “bachelors”.

Existing subsection 3044(b)(2)(D) is renumbered to 3044(b)(2)(E).

New subsection 3044(b)(2)(D) establishes the BEP as a Work Group A-1, full-time work/training assignment, and also specifies how participation in the program will be evaluated.

Existing subsection 3044(b)(2)(D) is renumbered to 3044(b)(2)(E) and is amended for correction purposes by changing Work Group “A” to “A-1.”

Existing subsection 3044(b)(2)(E) is renumbered to 3044(b)(2)(F) and is unchanged.

Subsections 3044(b)(3) through (b)(3)(B) are unchanged.

Subsection 3044(b)(4) is amended for correction purposes by adding an apostrophe to the word “bachelors.”

Subsections 3044(b)(5)(A) and (B) are unchanged.

Subsection 3044(b)(6) is amended to add clarity to the definition of segregated housing.

Subsections 3044(b)(7) through (b)(7)(C) are unchanged.

Subsection 3044(b)(8) is amended for clarification by specifying the one exception to Work Group U credit earning. Usually, each inmate who is undergoing reception center processing is put into Work Group U, unclassified status, and is granted one day credit for each two days served. The exception to this, and included in the amended language, is the inmate who is assigned to a full-time BEP.

Subsections 3044(c) through (c)(6) are unchanged.

Subsection 3044(c)(6)(A) is amended for clarification purposes by adding the word “assigned” to the reference of housing unit.

Subsections 3044(c)(6)(B) through (f)(3)(D) are unchanged.

Existing subsection 3044(f)(3)(E) is deleted. Because inmates no longer earn and accrue ETO, the language in this subsection concerning the accrual of ETO has been deleted.

Existing subsection 3044(f)(3)(F) is renumbered to 3044(f)(3)(E) and is unchanged.

Subsections 3044(g) through (g)(4)(D) are unchanged.

Existing subsection 3044(g)(4)(E) is deleted. Because inmates no longer earn and accrue ETO, the language in this subsection has been deleted.

Existing subsection 3044(g)(4)(F) is renumbered to 3044(g)(4)(E) and is unchanged.

Subsections 3044(h) through (h)(3)(D) are unchanged.

Subsection 3044(h)(3)(E) is amended to delete language concerning the accrual of ETO. In exchange, the reference to Section 3045.2, which correctly defines ETO, has been added.

Subsections 3044(h)(3)(F) and (i) are unchanged.

3045. Timekeeping and Reporting.

Subsection 3045(a) is amended to update language concerning inmate timekeeping and reporting. Due to the elimination of the CDC Form 191, Inmate Time Card, all references to this form have been deleted or replaced with, for easier reference and consistency, a “timekeeping log”. An authorized timekeeping log is now referenced in these regulations as the tool in which to record the daily attendance of each inmate assigned to a credit qualifying assignment. In addition, text from deleted Subsection 3045(b), which specified that the log shall be the reference for resolving inmate complaints or appeals and shall be retained at a secure location designated by the facility management, has been amended and relocated to this subsection.

Subsection 3045(a)(1) is amended by deleting the reference to the eliminated CDC Form 191.

Subsection 3045(a)(1)(A) is amended for consistency by deleting the words “each form” and replacing it with “the timekeeping log”. Also, because credits are no longer totaled on a daily basis, the text “for days credit” has been deleted.

Subsections 3045(a)(1)(B) and (C) are amended for consistency by deleting the word “form” and replacing it with “log.”

Subsection 3045(a)(2) is amended for consistency by deleting the word “card” and replacing it with “timekeeping log.”

Existing subsection 3045(b) is deleted. All specific references in these regulations to the eliminated CDC Form 191, the CDC Form 1697 or any other form used to record the daily attendance of an inmate assigned to a credit qualifying assignment, has been deleted and/or replaced with, for easier reference and consistency, a “timekeeping log.” As a result of this language change, and the fact there is sufficient language in other parts of these regulations covering the use of timekeeping logs, the text referencing CDC Form 1697, Inmate Work Supervisor’s Time Log, and the instruction on its use has been deleted from this subsection. Although it is no longer being specifically referenced in these regulations, the CDC Form 1697 is one of three forms/logs that are currently being used by the Department as an authorized timekeeping log. The others, CDC Form 151, Permanent Class Record Card, is primarily used by academic and vocational instructors, and the CDC Form 1690, Reception Center Timekeeping Log, is used for inmates in RCs who are undergoing processing or on layover status. In addition, text in this subsection specifying that the log shall be the reference for resolving inmate complaints or appeals concerning work credits, and shall be retained at a secure location designated by the facility for 12 months from date of completion, has been amended and relocated to subsection 3045(a).

Existing subsection 3045(c) is renumbered to 3045(b) and amended for consistency by deleting the reference to CDC Forms 191 and 1697, and changing the word “cards” and replacing it with “timekeeping” logs. In addition, to clarify security requirements, language has been amended to specify that inmates shall not have unauthorized access to any timekeeping logs.

3045.1 Timekeeping for Inmates in Administrative Segregation.

Subsection 3045.1(a) is unchanged.

Subsection 3045.1(a)(1) is amended to delete language concerning the crediting of “S” time. This is necessary because inmates no longer earn or are credited “S” time. Also, for clarification, additional language has been added to specify that the inmate shall retain their work/training group status at the time of their placement in administrative segregation unless otherwise impacted by a classification or disciplinary action.

Subsection 3045.1(a)(2) is unchanged.

3045.2. Excused Time Off (ETO)

Subsection 3045.2(a) is amended to update language concerning the use of ETO. For correction, work/training group A is changed to A-1, and for clarification, language referencing the accumulation of ETO is amended to reflect that an inmate may “use” ETO during approved absences from their assigned work/training assignment. This change is necessary because inmates no longer earn and accrue ETO, but instead may use ETO that is authorized. Also, the last sentence referencing the earning of ETO has been deleted.

Existing subsection 3045.2(b) is deleted. Because inmates no longer earn or accrue ETO, but instead may use approved ETO, the language in this subsection is now obsolete and has been deleted.

Existing subsection 3045.2(c) is renumbered to 3045.2(b) and amended for correction purposes by changing the minimum usage of ETO from two-hour increments to 15-minute increments. Also for correction, the reference of “shall utilize accrued” ETO has been deleted and replaced with “shall use” ETO.”

Existing subsection 3045.2(d) is renumbered to 3045.2(c) and amended for correction purposes by replacing the words “accumulated days” with “ETO”.

Existing subsection 3045.2(e) is renumbered to 3045.2(d) and is unchanged.

Subsections 3045.2(d)(1) through (d)(6) are unchanged.

Existing subsection 3045.2(f) is deleted. Because inmates no longer earn, accrue, or are credited ETO, the language concerning the accrual and maximum amount of ETO time for holidays worked has been deleted.

Existing subsection 3045.2(g) is deleted in order to remove obsolete language concerning the forfeiture of ETO.

Existing subsections 3045.2(h) and (i) are renumbered to 3045.2(e) and (f) respectively and are unchanged.

3045.3. “S” Time.

Subsection 3045.3(a) is amended to clarify language concerning the credit earning status of an inmate while on security/sentence reducing “S” time. Because inmates do not earn or are credited “S” time, language has been amended to reflect that “S” time shall be noted on timekeeping documents for an authorized absence from the inmate’s work/training assignment, and that the inmate shall receive sentence-reducing credit commensurate with their designated work group. Also for clarification, additional language has been added to specify that inmates, who are removed from their work/training assignment for authorized reasons, shall retain their existing work/training group status unless otherwise impacted by a classification committee or disciplinary action.

Subsection 3045.3(b) is amended for correction purposes by deleting the word “credit” in the reference to “S” time.

Subsection 3045.3(b)(4) is deleted. With the amendments to both subsections 3045.1(a)(1) and 3045.3(a), which clarify the credit earning status of inmates who are removed from their work/training assignment, the language in this subsection is now redundant and has been deleted.

Existing subsections 3045.3(b)(5), (b)(6), (b)(7), (b)(8), (b)(9), (b)(10), (b)(11), (b)(12), (b)(13), (b)(14), (b)(15), (b)(16), (b)(17), (b)(18), (b)(19), (b)(20), (b)(21), (b)(22), and (b)(23) are renumbered to 3045.3(b)(4), (b)(5), (b)(6), (b)(7), (b)(8), (b)(9), (b)(10), (b)(11), (b)(12), (b)(13), (b)(14), (b)(15), (b)(16), (b)(17), (b)(18), (b)(19), (b)(20), (b)(21), and (b)(22) respectively and are unchanged.

3075. Initial Intake.

Subsections 3075(a) through (c) are unchanged.

Subsection 3075(d) is amended to clarify language referencing inmate failure to comply with departmental grooming standards, and to also provide the correct section number when referencing the definition of program failure. Amended language will now specify that each inmate will be advised that failure to comply “with departmental grooming standards” may result in “the inmate being deemed” a program failure pursuant to section 3000.